

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Elazar Rabbani, Jannis G. Stavrianopoulos, James, J. Donegan, Jack Coleman, and Marleen Walner

Serial No.: 09/104,067

Group Art Unit: 1634

Filed: June 24, 1998

Examiner: Not Yet Known

**COPY**

For: **NOVEL PROCESSES FOR AMPLIFYING NUCLEIC ACID, POST-TERMINATION LABELING PROCESS FOR NUCLEIC ACID SEQUENCING AND PRODUCING NUCLEIC ACID HAVING DECREASED THERMODYNAMIC STABILITY**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below;

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN

ENZO THERAPEUTICS, INC.

ADDRESS OF CONCERN

60 EXECUTIVE BOULEVARDFARMINGDALE, NEW YORK 11735

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of rule 35, United States Code, in that the number of employees of the concern, including those of its affiliates does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) no concern is an affiliate of each other when either, directly or indirectly, one concern controls or has power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled:

**NOVEL PROCESSES FOR AMPLIFYING NUCLEIC ACID, POST-TERMINATION LABELING PROCESS FOR NUCLEIC ACID SEQUENCING AND PRODUCING NUCLEIC ACID HAVING DECREASED THERMODYNAMIC STABILITY by inventor(s)**

**ELAZAR RABBANI, JANNIS G. STAVRIANAPOULOS, JAMES, J. DONEGAN, JACK COLEMAN, AND MARLEEN WALNER**

I describe in

☐ the specification filed herewith

☒ application Serial No. 09/104,067

☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual☐ Small Business Concern☐ Nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to, paying, or at the time of paying, the earliest issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

RONALD C. FEDUS, ESQ.CORPORATION AND PATENT COUNSELENZO DIAGNOSTICS, INC.c/o ENZO BIOCHEM, INC.527 MADISON AVENUE (9TH FLOOR)NEW YORK, NEW YORK 10022SIGNATURE: 

DATE: April 19, 1999

ENZ-58

REC'D JUL 21 1999



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 13, 1999

PTAS

ENZO DIAGNOSTICS, INC.  
RONALD C. FEDUS, ESQ.  
C/O ENZO BIOCHEM, INC.  
527 MADISON AVENUE, 9TH FLOOR  
NEW YORK, NEW YORK 10022



\*101034336A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

**COPY**

jc525 U.S. PTO  
09/43334  
11/12/99

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/19/1999

REEL/FRAME: 9932/0599

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

RABBANI, ELAZAR

DOC DATE: 03/17/1999

ASSIGNOR:

STAVRIANOPOULOS, JANNIS G.

DOC DATE: 03/17/1999

ASSIGNOR:

DONEGAN, JAMES J.

DOC DATE: 03/17/1999

ASSIGNOR:

COLEMAN, JACK

DOC DATE: 03/17/1999

ASSIGNOR:

WALNER, MARLEEN

DOC DATE: 03/22/1999

ASSIGNEE:

ENZO DIAGNOSTICS, INC.  
60 EXECUTIVE BOULEVARD  
FARMINGDALE, NEW YORK 11735-4716

9932/0599 PAGE 2

SERIAL NUMBER: 09104067  
PATENT NUMBER:

FILING DATE: 06/24/1998  
ISSUE DATE:

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

**ASSIGNMENT**

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned,

As a below named inventor, I hereby declare that:

Elazar Rabbani;  
Jannis G. Stavrianopoulos;  
James J. Donegan;  
Jack Coleman; and  
Marleen Walner

**RESIDING AT:**

69 Fifth Avenue (No. 19A), New York, New York 10003;  
99 South Clinton Avenue, #10C, Bay Shore, New York 11706  
210 East Broadway (No. 3G), Long Beach, New York 11561;  
37 Furwood Drive, East Northport, New York 11731;  
15 North Maple Street, Apt. 3, Farmingdale, New York 11735

Hereby sell, assign and transfer to: Enzo Diagnostics, Inc., a corporation of the State of New York, having a principal place of business at: 60 Executive Boulevard, Farmingdale, New York 11735-4716, its successors, assigns, and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith, and is entitled:

**NOVEL PROCESSES FOR AMPLIFYING NUCLEIC ACID,  
POST-TERMINATION LABELING PROCESS FOR NUCLEIC ACID  
SEQUENCING AND PRODUCING NUCLEIC ACID HAVING  
DECREASED THERMODYNAMIC STABILITY**

(said application having been filed on June 24, 1998 and accorded U.S. Patent Application Serial No. 09/104,067)

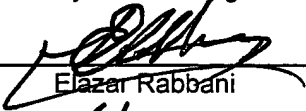
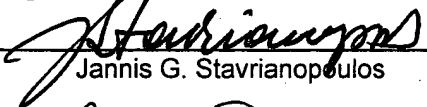
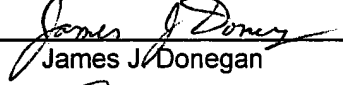
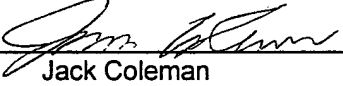

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements:

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers, communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof, and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider

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Filed: June 24, 1998  
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desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

 Elazar Rabbani	<u>3/17/1999</u> (date)
 Jannis G. Stavrianopoulos	<u>3/17/99</u> (date)
 James J. Donegan	<u>3/17/99</u> (date)
 Jack Coleman	<u>3/17/99</u> (date)
 Marleen Walner	<u>3/22/99</u> (date)

\* \* \* \* \*

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